

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/869, 872 06/02/97 BROWNELL

C 13237-1560

LMC1/0925

 EXAMINER

JONES AND ASKEW  
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191 PEACHTREE STREET NE  
ATLANTA GA 30303-1769

TEITELBAUM, A

ART UNIT	PAPER NUMBER
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2765

DATE MAILED:

09/25/00

*FT*

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	Application No.	Applicant(s)
	08/869,872	BROWNELL ET AL.
	Examiner Anne H Teitelbaum	Art Unit 2765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

#### Status

- 1) Responsive to communication(s) filed on 07 July 2000.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 26-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 26-46 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) All b) Some \* c) None of the CERTIFIED copies of the priority documents have been:
1. received.
2. received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
3. received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

#### Attachment(s)

- 15) Notice of References Cited (PTO-892)
- 16) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 18) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 19) Notice of Informal Patent Application (PTO-152)
- 20) Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. This communication is in response to applicant's amendments filed July 7, 2000.
  
2. Examiner acknowledges amendments made to claims 26, 28, 30, 33, 35, 37, 40, 42 and 44.

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
  
4. Claims 26-28, 33-34 and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chancey et al (US 5,842,185).

See paper 14, paragraph 5 for rejection.

5. Claims 29-32, 36-39 and 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chancey et al (US 5,842,185) in view of Quicken 5 for Windows as evidenced by Cummings in the book, Home Banking with Quicken.

See paper 14, paragraph 6 for rejection.

6. Examiner Caudle's rejections for claims 26-46 remain since applicant's amendments to the claims did not significantly alter the meanings of the claims.

***Response to Arguments***

7. Applicant's arguments filed 7/7/200 have been fully considered but they are not persuasive.

8. Claims 26, 33 and 40:

Examiner acknowledges applicant's explanation of the difference between Chancey and applicant's claims. However, according to the claim language, the method receives "a user command replacing the received payee name with a preferred payee name". Chancey teaches receiving a user command to change information within the financial transaction system. In addition, applicant goes on to claim "automatically replacing" this information at every occurrence of it. Not only does Chancey teach "searching previous transactions for equivalent data for the same payee", it is obvious to one skilled in the art to search a database or table of entries for a common entry and associate the two, or change to a new name. (For example, the find/replace option in Microsoft Word ©).

Chancey's invention is directed towards a method and system for *electronically* tracking financial transactions. This includes adjusting account balances and correcting payee names (col. 6, lines 11-19). Therefore, since Chancey teaches receiving the user command to change the information and than searching the transaction files to change all the occurrences of this change, examiner has shown a *prima facie* case of obviousness.

Chancey clearly teaches "an object of this invention is to *automate* the selection of a category for each transaction even if the user has not previously assigned a category to the payee involved...*automating* the entry of transactions into a financial account stored in a computer." (col. 1, lines 60-68). Therefore it is obvious that Chancey's system is automated and can handle automatically changing information that is requested. Therefore the motivation behind Examiner Caudle's rejection is valid and remains.

Applicant argues that Chancey is directed to a different problem than the claimed invention. However, examiner notes that both Chancey and the claimed invention are directed towards electronically and automatically controlling a financial statement that includes financial transactions. Therefore they are part of the same financial art group.

9. Claims 29, 36, and 43

Applicant argues that Quicken does not disclose any specific method for determining when a correct beginning balance should be recalculated. However, Examiner Caudle clearly cited parts of the Home Banking with Quicken that deals with opening balances and how they are calculated on Quicken, how the user is prompted for an opening balance and if it is different from the one on the user's statement.

***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne H Teitelbaum whose telephone number is 703-306-5679. The examiner can normally be reached on Monday-Thursday 7:30am-5:00pm and alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tod Swann can be reached on (703) 308-7791. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-9051 for regular communications and 703-308-5337 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



ERIC W. STAMBER  
PRIMARY EXAMINER